STATE OF ILLINOIS

BEFORE THE ILLINOIS COMMERCE COMMISSION

Joint Petition for Expedited Resolution of Disputes)	
Relating to Billing Performance)	Docket No. 03-0769
Measurements)	

SUPPLEMENTAL REPLY COMMENTS OF SBC ILLINOIS REGARDING DISPUTED ISSUES FROM THE THIRD PM SIX-MONTH REVIEW

SBC Illinois submits these Supplemental Reply Comments on five disputed issues from the 2003 third performance measures six-month review ("third PM review"):

Disputed Issues 8, 9, 10, 11, and 12. Evidentiary support for the factual assertions contained in this reply comments is found in the Supplemental Reply Affidavit of James D. Ehr, attached as Exhibit A.

These supplemental comments and Mr. Ehr's Supplemental Reply Affidavit address certain issues raised by TDS Metrocom, LLC. ("TDS Metrocom") in a filing in the Public Service Commission of Wisconsin docket regarding the third PM review. TDS Metrocom is not a party to this Illinois docket addressing the third PM review, and it did not file any comments in Illinois. However, WorldCom, Inc. d/b/a MCI ("MCI") included, as Exhibit 4 to its Reply Comments filed on June 2, 2004 in this docket, the comments that TDS Metrocom had filed in Wisconsin. Because the TDS Metrocom comments from Wisconsin were not in the record in this docket when SBC Illinois filed

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¹ Although MCI's Illinois Reply Comments explicitly reference the TDS Metrocom Wisconsin filing for only four issues (Disputed Issues 8, 9, 11, and 12), it attached the TDS Metrocom filing in its entirety. Mr. Ehr's Supplemental Reply Affidavit addresses those four issues, as well as TDS Metrocom's position on Disputed Issue 10, which also was a joint proposal of TDS Metrocom and MCI.

its reply comments and supporting affidavits, ² SBC Illinois did not address TDS Metrocom's arguments. As a result, SBC Illinois is submitting these supplemental comments to address the new information.

The Commission should not even consider the substance of the TDS Metrocom comments, because they are the unverified assertions of a non-party and thus are not competent evidence. See SBC Illinois Reply Comments, pp. 2-3. In any event, as the information in Mr. Ehr's Supplemental Reply Affidavit demonstrates, the arguments that TDS Metrocom presented in Wisconsin cannot justify a conclusion by this Commission in Illinois to make PM CLEC BLG-4 and PM CLEC BLG-5 remedied measures at this time, or to add new measures that address billing accuracy, repeat billing, and back billing.

For the foregoing reasons, and for the reasons set forth in SBC Illinois' initial and reply comments in this docket, the Commission should resolve the disputed issues addressed herein as proposed by SBC Illinois.

Respectfully submitted this 9th day of June, 2004.

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² <u>See SBC Illinois Reply Comments on Disputed Issues Resulting from the Third Six Month Review and the Billing Collaborative ("SBC Illinois Reply Comments").</u>